

EXHIBIT 13

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOSEPH MANTHA on behalf of)
themselves and others)
similarly situated,)
Plaintiff,)
vs.) No. 1:19-cv-12235
QUOTEWIZARD.COM, LLC,)
Defendant.)

~~VIDEOTAPED ZOOM 30 (b) (6) DEPOSITION~~

UPON ORAL EXAMINATION OF

MATTHEW WEEKS

QUOTEWIZARD.COM, LLC

THUR. 22 2020

SEATTLE WASHINGTON

REPORTED BY: CHERYL Q. SPRY CCB No. 2226

	Page 2		Page 4
1	APPEARANCES	1	SEATTLE, WASHINGTON; JULY 22, 2020
2	(All participants appeared remotely.)	2	2:46 P.M. (EST)
3		3	--oOo--
4	FOR THE PLAINTIFF:	4	THE VIDEOGRAPHER: We are on the record at
5	EDWARD A. BRODERICK	5	2:46 p.m. in the Eastern Time Zone.
6	Broderick Law, P.C.	6	Today is July 22nd, 2020. We are here for the
7	176 Federal Street, Fifth Floor	7	video deposition of QuoteWizard.com represented by
8	Boston, Massachusetts 02110	8	Matthew Weeks, being taken by counsel for the plaintiff
9	617.738.7080	9	in the matter of Joseph Mantha versus QuoteWizard.com.
10	ted@broderick-law.com	10	This case is filed in the U.S. District Court
11		11	for the District of Massachusetts. The case number is
12	FOR THE DEFENDANT:	12	1:19-cv-12235.
13	KEVIN POLANSKY	13	This deposition is being conducted remotely.
14	Nelson Mullins Riley & Scarborough	14	My name is Michael Takos from the firm Veritext, and I'm
15	One Post Office Square, 30th Floor	15	the videographer. The court reporter is Cheryl Spry
16	Boston, Massachusetts 02109	16	from the firm Veritext.
17	617.217.4720	17	Counsel, please identify yourselves and state
18	kevin.polansky@nelsonmullins.com	18	whom you represent. If there are any objections to the
19		19	proceeding, please state them at the time of your
20	ALSO PRESENT:	20	appearance.
21	MICHAEL TAKOS, Videographer	21	MR. BRODERICK: This is Edward Broderick for
22		22	the plaintiff.
23		23	MR. POLANSKY: This is Kevin Polansky on
24		24	behalf of the defendant, QuoteWizard.com, LLC.
25		25	THE VIDEOGRAPHER: Will the court reporter
	Page 3		Page 5
1	INDEX	1	please swear in the witness.
2		2	MATTHEW WEEKS,
3	EXAMINATION BY: PAGE	3	sworn as a witness by the Certified Court Reporter,
4	MR. BRODERICK 5	4	testified as follows:
5	MR. POLANSKY 63	5	EXAMINATION
6	MR. BRODERICK 69	6	BY MR. BRODERICK:
7	EXHIBITS FOR IDENTIFICATION PAGE	7	Q. Okay. Thanks for being here, Mr. Weeks.
8	Exhibit 1 7/14/2020 Notice of Rule 30(b)(6) of 7	8	Obviously, we met off the record, but my name is Ted
9	QuoteWizard.com, LLC	9	Broderick and I represent the plaintiff, Joe Mantha.
10	Exhibit 2 QuoteWizard Opt In 19	10	The first thing I'm going to do is show you an
11	Exhibit 3 5/18/2020 Defendant's Responses to 41	11	exhibit, which is the notice of this deposition. Let's
12	Plaintiff's First Set of	12	see if I can do this correctly.
13	Interrogatories	13	There. Do you see that?
14	Exhibit 4 RevPoint Subpoena Response Combined 41	14	A. I'm looking in the --
15	Exhibit 5 IP Subpoena for RevPoint - tracks to 45	15	Q. In the "Marked Exhibits."
16	Guerrero	16	A. Let me refresh and see if it shows up. I
17	Exhibit 6 Plural Response to Mantha Subpoena 46	17	still only see the Verizon IP.
18	Exhibit 7 Verizon IP June 26, 2019 52	18	Q. Maybe go out of the doc -- out of the folder
19	Exhibit 8 Jornaya Subpoena response 59	19	and back in.
20		20	A. Yeah.
21		21	MR. POLANSKY: Matthew, double click on the
22		22	document again to refresh.
23		23	A. Yeah, I see the -- now I see the notice of
24		24	30(b)(6) PDF.
25		25	Q. (BY MR. BRODERICK:) And Mr. Weeks, could you

2 (Pages 2 - 5)

Page 6	Page 8
<p>1 state your name, full name for the record and your job 2 title?</p> <p>3 A. Matthew Weeks. And I am senior manager of 4 data partnerships for QuoteWizard.</p> <p>5 Q. Okay. And do you recognize that notice of 6 30(b)(6) QuoteWizard document?</p> <p>7 A. I was -- yes, I do.</p> <p>8 Q. Okay. And are you -- are you designated to 9 testify on behalf of QuoteWizard as to all topics listed 10 in that document?</p> <p>11 A. Yes.</p> <p>12 Q. And what did you do to prepare for this 13 deposition?</p> <p>14 A. I went back through my calendar to refresh 15 myself on some dates, as well as check some emails.</p> <p>16 Q. Did you speak with any other employees of 17 QuoteWizard?</p> <p>18 A. I did not.</p> <p>19 Q. And before you answered interrogatories as 20 they pertain to Mr. Mantha's alleged consent to receive 21 calls by or on behalf of QuoteWizard, did you talk to 22 other employees when you were answering interrogatories?</p> <p>23 A. I did not.</p> <p>24 Q. And do you understand that your testimony is 25 on behalf of QuoteWizard in each of the topics in that</p>	<p>1 MR. POLANSKY: Objection. 2 You can answer, if you know.</p> <p>3 A. I have a very high-level understanding of it, 4 not -- you know, by no means an expert on TCPA.</p> <p>5 Q. (BY MR. BRODERICK:) That's fine. What's your 6 understanding of the TCPA?</p> <p>7 A. It's the set of guidelines that telemarketers 8 have to abide by in order to obey the law.</p> <p>9 Q. Okay. And what's your understanding of the 10 consent required to call someone whose telephone number 11 is listed on the National Do Not Call Registry?</p> <p>12 MR. POLANSKY: Objection. 13 You can answer.</p> <p>14 A. My understanding, I mean, if someone is on the 15 Do Not Call directory, a company should not call them.</p> <p>16 THE VIDEOGRAPHER: Counsel, could we go off 17 the record briefly? I want to see if we can get your 18 microphone turned up.</p> <p>19 MR. BRODERICK: Sure.</p> <p>20 THE VIDEOGRAPHER: Going off record. The time 21 now is 2:54 p.m.</p> <p>22 (Discussion off the record.)</p> <p>23 THE VIDEOGRAPHER: We are back on record.</p> <p>24 It's 2:55 p.m.</p> <p>25 Q. (BY MR. BRODERICK:) Mr. Weeks, does</p>
Page 7	Page 9
<p>1 30(b)(6) notice?</p> <p>2 A. I do.</p> <p>3 MR. BRODERICK: So I'm going to try to move 4 this into the "Introduce Exhibit."</p> <p>5 (Deposition Exhibit 1 was marked for 6 identification.)</p> <p>7 MR. BRODERICK: Okay, it looks like that 8 worked.</p> <p>9 Q. (BY MR. BRODERICK:) What is your 10 understanding of Mr. Mantha's claim against QuoteWizard?</p> <p>11 A. I don't have much understanding of it. I 12 mean, I seen -- briefly seen the complaint, and that's 13 about it.</p> <p>14 Q. Okay. And do you have any understanding as to 15 restrictions placed on telemarketing by the Telephone 16 Consumer Protection Act, which I'll refer to as the 17 "TCPA"?</p> <p>18 MR. POLANSKY: Objection.</p> <p>19 You can answer.</p> <p>20 A. Say that again?</p> <p>21 Q. (BY MR. BRODERICK:) Do you have any 22 understanding of -- the statute that Mr. Mantha is suing 23 under is the Telephone Consumer Protection Act. And I 24 was asking if you have any understanding as to what 25 that -- what restrictions that places on telemarketing.</p>	<p>1 QuoteWizard claim that Mr. Mantha provided his prior 2 expressed written consent to receive text messages from 3 QuoteWizard?</p> <p>4 A. It's our belief that consent was provided, 5 yes.</p> <p>6 Q. Okay. And can you explain what that belief is 7 based on?</p> <p>8 A. The belief is based on information provided to 9 us from another company.</p> <p>10 Q. What are those other companies?</p> <p>11 A. That would be RevPoint Media.</p> <p>12 Q. Okay. And you said "companies" plural. What 13 others?</p> <p>14 A. I said company, singular.</p> <p>15 Q. Company, okay. Sorry.</p> <p>16 And what documents support that claim, that 17 Mr. Mantha gave prior expressed written consent?</p> <p>18 A. We have a contract with RevPoint that 19 explicitly states that they, you know, cannot break the 20 law and, you know, send us leads that have not been -- 21 you know, have not given consent.</p> <p>22 We also -- we do not purchase leads that don't 23 have a Jornaya LeadiD attached to them.</p> <p>24 Q. Okay. Any other documents that support that 25 claim?</p>

<p style="text-align: right;">Page 10</p> <p>1 MR. POLANSKY: What was that? I couldn't hear 2 that.</p> <p>3 Q. (BY MR. BRODERICK:) Any other documents that 4 support the claim that Mr. Mantha provided prior 5 expressed written consent?</p> <p>6 A. We -- there -- when asked to provide -- when 7 this initially came up and we received the complaint and 8 reached out to RevPoint Media to provide the consent 9 information, and they sent me some things such as the IP 10 address of the complainant, and as well as the URL to 11 the consent portion of the website that the complainant 12 went through.</p> <p>13 Q. Okay. Who was it you spoke to at RevPoint to 14 collect that information?</p> <p>15 A. His name is Michael Fishman.</p> <p>16 Q. Did you talk to him on the telephone or did 17 you send him an email?</p> <p>18 A. I talked -- email. I mean, I have talked to 19 him on the phone, not about this, but...</p> <p>20 Q. Okay. And how did he provide that, that 21 document that we're discussing to you? Did he email it 22 to you?</p> <p>23 A. Yes, email.</p> <p>24 MR. POLANSKY: Objection.</p> <p>25 Q. (BY MR. BRODERICK:) Okay. And I'm going to</p>	<p style="text-align: right;">Page 12</p> <p>1 A. It's contained in our own database. 2 Q. Right. But I wanted to know who put that 3 information in this document. 4 A. I did. 5 Q. And you got it from -- you got that Jornaya 6 LeadiD from RevPoint? 7 A. No. I got it from our own database. 8 Q. How did it get into your database, is my 9 question. 10 A. It was sent to us in the data packet with the 11 original purchase of the lead. We work on a ping post 12 system. 13 MR. POLANSKY: He's asking who sent the data 14 packet to you. 15 A. RevPoint sent the data packet to us 16 originally. 17 Q. (BY MR. BRODERICK:) Okay. And is there a 18 document -- when you say -- tell me what a ping post 19 system is. 20 A. So it's how we purchase leads from vendors 21 like RevPoint. We -- it's called ping post. They send 22 into our system, they ping into our API a portion of 23 essentially a lead, a lead without all of the PII 24 information. 25 It comes into our system, into our API. Our</p>
<p style="text-align: right;">Page 11</p> <p>1 show you a document now. 2 Okay. In the "Marked Exhibits" folder, do you 3 see a document labeled "QuoteWizard Opt In"?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Can you open that document and tell me 6 what it is?</p> <p>7 A. This is the report that I compiled after we 8 received the complaint from Mr. Mantha.</p> <p>9 Q. And you say you compiled this, or was it -- 10 well, tell me what you mean by you "compiled" it.</p> <p>11 A. I mean exactly that, I compiled it. I reached 12 out to RevPoint to get some of the information contained 13 in it, and I included the rest myself from our own 14 database.</p> <p>15 Q. What information in that document came from 16 RevPoint?</p> <p>17 A. The consumer IP address, the form URL.</p> <p>18 Q. Is that it?</p> <p>19 A. I believe so, yes.</p> <p>20 Q. And not the Jornaya LeadiD?</p> <p>21 A. That, like I said earlier, that's -- we don't 22 accept or buy a lead without a Jornaya LeadiD. So that 23 is sent to us at the time, before we even purchase the 24 lead. So that's our own database.</p> <p>25 Q. That's your own database?</p>	<p style="text-align: right;">Page 13</p> <p>1 system takes a look at that -- this is all happening in 2 milliseconds -- determines whether we have a match for 3 that lead. 4 We then, if it matches, if we think -- you 5 know, if our system determines that, you know, we have 6 an agent or a corporate carrier that this lead matches 7 to, we return a bid to whoever the vendor is; in this 8 case, RevPoint. 9 RevPoint then either accepts the bid or 10 rejects the bid. And if they accept the bid, they then 11 send us the rest of the lead details. And that's it. 12 Q. Okay. You used an acronym "API." What does 13 that stand for? 14 A. You know, I should know that. 15 Q. It happens a lot. 16 A. I'm not a tech person. It's, you know, it's 17 the acronym for the system. I honestly don't know what 18 it is. 19 Q. Okay. And you also said that it's information 20 without a PI. Is that personal information? 21 A. Personal identifying information, the PII. 22 Q. PII. Okay, thank you. 23 So what is the -- what is the first -- what 24 data is in the first ping when you're provided a lead 25 that your system can then make a bid on?</p>

<p style="text-align: right;">Page 14</p> <p>1 A. I'm not -- I don't know. I'm not sure exactly 2 what all is included in that.</p> <p>3 Q. Okay. Do you know if consent has to be 4 validated in that first ping?</p> <p>5 MR. POLANSKY: Are we talking about Joseph 6 Mantha, or in general?</p> <p>7 Q. (BY MR. BRODERICK:) Well, when you got the 8 Joseph Mantha thing sent to you, did it have consent 9 information in that first ping before your system would 10 provide a bid to --</p> <p>11 A. It had the Jornaya LeadiD.</p> <p>12 Q. And is that how you check whether the consent 13 is valid?</p> <p>14 A. Yes, that and, I mean, the fact that we have a 15 contract with our vendors that explicitly state they 16 have to obey all TCPA laws and laws in general.</p> <p>17 Q. Right. So you rely on the vendor to secure 18 the consent, there is nothing else that -- well, is that 19 correct, that you rely on the vendor to secure prior 20 expressed written consent from people to whom text 21 messages are sent?</p> <p>22 MR. POLANSKY: I'm just going to object to the 23 extent that it relates to any of the other potential 24 plaintiffs, other than Mr. Mantha.</p> <p>25 Q. (BY MR. BRODERICK:) All right. Well, for</p>	<p style="text-align: right;">Page 16</p> <p>1 query to be able to pull up Mr. Mantha's -- the 2 information that populated this document?</p> <p>3 A. Phone number, email address.</p> <p>4 Q. Did you have to use the Jornaya LeadiD?</p> <p>5 A. I did not have the Jornaya LeadiD at the time. 6 I had to pull the lead information to get that.</p> <p>7 Q. Okay. And did you have the consumer IP 8 address when you pulled the lead?</p> <p>9 A. I did not. That was provided by RevPoint.</p> <p>10 Q. And the "Form URL & Carrie List URL," was that 11 pulled from your system or that was provided by 12 RevPoint?</p> <p>13 A. That was provided by RevPoint.</p> <p>14 Q. Do you know what "Carrie List," and that's 15 C-A-R-R-I-E list, "URL stands" for, means?</p> <p>16 A. That's a typo. It's supposed to say carrier 17 list.</p> <p>18 Q. Okay. Okay. And at the bottom, well, not the 19 very bottom, but then there is something that says "TCPA 20 Disclosure," which is bolded.</p> <p>21 A. Uh-huh.</p> <p>22 Q. Where did that data come from, that language?</p> <p>23 A. That came from the link provided by RevPoint 24 Media that is the form URL.</p> <p>25 Q. And did you copy and -- did you go -- did you</p>
<p style="text-align: right;">Page 15</p> <p>1 Mr. Mantha, were you relying on RevPoint to obtain his 2 prior expressed written consent?</p> <p>3 A. They are responsible for securing that.</p> <p>4 Q. And QuoteWizard itself doesn't do anything 5 to -- doesn't secure consent on its own on top of the 6 obligation that RevPoint had to get Mr. Mantha's 7 consent; correct?</p> <p>8 A. On top of the contracts that we have and the 9 requiring of a Jornaya LeadiD?</p> <p>10 Q. Right.</p> <p>11 A. We do not.</p> <p>12 Q. Okay. And on what system did you create this 13 what I'll call the QuoteWizard opt in?</p> <p>14 A. What system?</p> <p>15 Q. Yeah.</p> <p>16 A. Microsoft Word.</p> <p>17 Q. Okay. And you pulled this from this API 18 system, this data that you filled into this, other than 19 what was provided to you by --</p> <p>20 A. I pulled the data from our SQL databases.</p> <p>21 Q. And how did you -- how did you pull that data?</p> <p>22 Did you have to run a query?</p> <p>23 A. Correct, I wrote a query and ran it and pulled 24 the information around this lead.</p> <p>25 Q. And what -- what items would you put into a</p>	<p style="text-align: right;">Page 17</p> <p>1 click on that link URL that was provided by RevPoint?</p> <p>2 A. Yes, I did.</p> <p>3 Q. And then did you cut and paste that language 4 and put it in this document?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. And what about the -- below the "TCPA 7 Disclosure" in bold it says "Screenshot." Does that -- 8 where did that language come from?</p> <p>9 A. That was a screenshot that I captured after 10 clicking on the link for RevPoint Media.</p> <p>11 Q. And is -- was TCPA, the words "TCPA 12 Disclosure," was that on the Snappy Auto Insurance link?</p> <p>13 A. No, that's part of the -- that's just the 14 heading for that section of the file.</p> <p>15 Q. Okay. So is it -- the Snappy Auto Insurance 16 website, when you clicked on it, did it say the words 17 "TCPA Disclosure"?</p> <p>18 A. It did not.</p> <p>19 Q. Okay. And when did you create this document?</p> <p>20 This is you say after the litigation was filed; correct?</p> <p>21 MR. POLANSKY: Objection.</p> <p>22 You can answer.</p> <p>23 A. Correct. I just was -- this was after we 24 received the complaint.</p> <p>25 Q. (BY MR. BRODERICK:) Okay. And so, again,</p>

<p style="text-align: right;">Page 18</p> <p>1 where it says "Screenshot" in bold, is that also just a 2 header that did not appear on the Snappy Auto Insurance 3 website?</p> <p>4 A. Correct. It's a header that I -- that's part 5 of this report.</p> <p>6 Q. Okay. Where on the Snappy Auto Insurance site 7 did you get that, the language that follows 8 "Screenshot"?</p> <p>9 A. I'm not sure I follow your question.</p> <p>10 Q. Well, below "Screenshot" and the colon, it 11 says in fairly small font, "By clicking the 'Compare 12 Rates' button, I hereby consent to receive marketing 13 communications via autodialed and/or pre-recorded calls, 14 including SMS messages," and then it continues.</p> <p>15 I'm just wondering where you got that.</p> <p>16 A. That's a screenshot of the website. I didn't 17 type that under -- that's a screen capture of the 18 website.</p> <p>19 Q. Is that a separate web page on the Snappy Auto 20 Insurance website?</p> <p>21 A. A separate web page? I'm --</p> <p>22 Q. Well, I'm just saying that -- it says 23 "Screenshot," and I'm saying screenshot of what?</p> <p>24 A. That is a screenshot of the consent language 25 from the Snappy Auto website.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yes. 2 Q. And what is it? 3 A. What is the document? It's the answers to the 4 interrogatories. 5 Q. Right. And at the bottom, the very last thing 6 in the document is a "Verification." And did you 7 authorize your digital signature to be put on that 8 verification? 9 A. Yes, I did. 10 Q. Okay. So these are your answers on behalf of 11 QuoteWizard? 12 A. Yes. 13 Q. And in your answers to interrogatories, you 14 said that you got the -- you got the data from RevPoint. 15 And that's correct; right? 16 A. Yes. 17 Q. And then in the I guess it's interrogatory 18 answer No. 4, you say that you got that -- you 19 understand that RevPoint got -- got its data from Plural 20 Marketing Solutions, Inc. 21 Is that -- first of all, is that a fair -- 22 well, is that a fair summary of your answer to No. 4? 23 MR. POLANSKY: After the objection? 24 Q. (BY MR. BRODERICK:) After the objection, yes, 25 where it starts with, "Further answering...."</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Okay. And would you agree with me that that 2 screenshot does not mention QuoteWizard?</p> <p>3 MR. POLANSKY: Objection.</p> <p>4 A. It mentions QuoteWizard in "marketing 5 partners."</p> <p>6 Q. (BY MR. BRODERICK:) But the word 7 "QuoteWizard" does not appear in that screenshot; 8 correct?</p> <p>9 A. QuoteWizard does not appear in that 10 screenshot, no.</p> <p>11 Q. And under TCPA disclosure, QuoteWizard's name 12 does not appear in the TCPA disclosure; correct?</p> <p>13 A. QuoteWizard does not appear.</p> <p>14 MR. BRODERICK: Okay. I'm going to introduce 15 that document, I hope. Or no, sorry. And that will be 16 Exhibit No. 2.</p> <p>17 (Deposition Exhibit 2 was marked for 18 identification.)</p> <p>19 Q. (BY MR. BRODERICK:) Now, Mr. Weeks, I want to 20 show you QuoteWizard's answers to interrogatories in 21 this case, now being put in the "Marked Exhibits" 22 folder. If you'd open those --</p> <p>23 A. Yep.</p> <p>24 Q. -- and I'll ask you a few questions.</p> <p>25 Do you recognize that document?</p>	<p style="text-align: right;">Page 21</p> <p>1 A. On No. 4. 2 Q. Yeah, I'll read it to you. It might be 3 easier. "Further answering, QuoteWizard states that 4 Plaintiff's consent was generated on 5 www.SnappyAutoInsurance.com on August 5, 2019; 6 QuoteWizard received Plaintiff's lead information and 7 consent to contact from RevPoint Media prior to the time 8 QuoteWizard sent or caused to be sent any text messages 9 to Plaintiff; RevPoint has asserted that Plural 10 Marketing Solutions, Inc. a/k/a Plural Marketing Group, 11 PLMRKG," and that's all caps, ".com or unitedquotes.com 12 ('Plural') originated Plaintiff's subject lead and/or 13 that it received the lead from Plural;" and that 14 Plaintiff's lead contains the Jornaya LeadiD. 15 Do you believe all of that statement remains 16 true? 17 A. Yes. I learned about Plural Marketing through 18 counsel and information relayed by them. 19 Q. Okay. And did you -- you didn't talk to 20 anybody at RevPoint to find out where they got the 21 information? 22 A. No. 23 Q. And who do you believe put the Jornaya LeadiD 24 on the data package that was sent to you by RevPoint? 25 MR. POLANSKY: Objection.</p>

	Page 22		Page 24
<p>1 Q. (BY MR. BRODERICK:) If you know.</p> <p>2 A. I have no idea.</p> <p>3 Q. And nobody at RevPoint has ever told you they</p> <p>4 were responsible for the Jornaya LeadiD?</p> <p>5 A. No.</p> <p>6 Q. And how about anybody at Plural?</p> <p>7 A. No.</p> <p>8 Q. Okay. And have you ever spoken with Adam</p> <p>9 Brown?</p> <p>10 A. No.</p> <p>11 Q. Have you had any email communication with him?</p> <p>12 A. No.</p> <p>13 Q. Have you spoken with anyone at</p> <p>14 SnappyAutoInsurance.com?</p> <p>15 A. No.</p> <p>16 Q. And how about unitedquotes.com?</p> <p>17 A. No.</p> <p>18 Q. Now, the QuoteWizard opt in that we looked at</p> <p>19 earlier, that doesn't reference unitedquotes.com, does</p> <p>20 it, as being the sourced URL for Mr. Mantha's consent?</p> <p>21 A. No. I believe that document lists a Snappy</p> <p>22 something URL.</p> <p>23 Q. But you put this in your interrogatory answer</p> <p>24 because you believed that Plural had represented that</p> <p>25 that was their source of the Mantha opt-in data;</p>		<p>1 lodge an objection that I think we're entitled to know</p> <p>2 what QuoteWizard knows about the facts relating to how</p> <p>3 Mr. Mantha's consent was generated.</p> <p>4 So those are facts and not -- not legal</p> <p>5 advice, but just this is what we know about where this</p> <p>6 consent came from.</p> <p>7 MR. POLANSKY: Well, I think he's testified to</p> <p>8 that. I mean, I think he's testified that, you know,</p> <p>9 where the consent came from was from RevPoint. That is</p> <p>10 his information. He hasn't spoken to Plural.</p> <p>11 MR. BRODERICK: Right, but I want to know why</p> <p>12 he was able to answer in an interrogatory that RevPoint</p> <p>13 said that it was Plural. And what I'm also just not</p> <p>14 clear on is whether Plural and unitedquotes.com are one</p> <p>15 in the same or they're -- whether there is an assertion</p> <p>16 that this supposed lead and opt-in consent, prior</p> <p>17 expressed written consent was provided on</p> <p>18 unitedquotes.com or on SnappyAutoInsurance.com.</p> <p>19 MR. POLANSKY: Right, but I think his</p> <p>20 information on that answer is coming through counsel.</p> <p>21 That's information learned through discovery in this</p> <p>22 case. And he's provided what he knows in the answer.</p> <p>23 MR. BRODERICK: Okay. Well, we'll table that</p> <p>24 for now, but I think we are entitled to that because</p> <p>25 they are facts in possession of QuoteWizard.</p>	
	Page 23		Page 25
<p>1 correct?</p> <p>2 MR. POLANSKY: Objection.</p> <p>3 A. I didn't follow that question.</p> <p>4 Q. (BY MR. BRODERICK:) Yeah, I don't blame you.</p> <p>5 You say that "RevPoint has asserted that</p> <p>6 Plural Marketing Solutions... or unitedquotes.com."</p> <p>7 Do you know the relationship between Plural</p> <p>8 Marketing Solutions and unitedquotes.com?</p> <p>9 A. I do not.</p> <p>10 Q. But RevPoint -- so this information is that</p> <p>11 RevPoint was told by Plural that Plural originated the</p> <p>12 lead, the subject lead. But what I'm wondering about is</p> <p>13 what did RevPoint say about whether unitedquotes.com was</p> <p>14 the actual source as opposed to SnappyAutoInsurance.com?</p> <p>15 A. Never had any communication with RevPoint</p> <p>16 about any of that.</p> <p>17 Q. But how about QuoteWizard as a whole? I think</p> <p>18 we're entitled to know where did this come from or know</p> <p>19 what you know about where it came from.</p> <p>20 A. Like I said, the Plural Marketing, the only</p> <p>21 reason I'm aware of them is information I was given from</p> <p>22 counsel.</p> <p>23 MR. POLANSKY: Don't speak about what you</p> <p>24 learned from counsel.</p> <p>25 MR. BRODERICK: Well, I guess I just want to</p>		<p>1 Q. (BY MR. BRODERICK:) Do you know who Plural</p> <p>2 obtained Mr. Mantha's data from?</p> <p>3 A. I do not.</p> <p>4 Q. Do you know what Plural Marketing Solutions,</p> <p>5 Inc., is or does?</p> <p>6 A. I do not.</p> <p>7 Q. Do you know what RevPoint's relationship is to</p> <p>8 Plural?</p> <p>9 A. I do not.</p> <p>10 Q. Does QuoteWizard have any relationship with</p> <p>11 Plural?</p> <p>12 A. We do not.</p> <p>13 Q. Do you know, I think I might have just asked</p> <p>14 this, do you know how Plural obtained Mr. Mantha's data?</p> <p>15 A. I do not.</p> <p>16 Q. Are you now aware that Plural was not the</p> <p>17 original source of Mr. Mantha's opt-in data and that the</p> <p>18 original source was reportedly SnappyAutoInsurance.com</p> <p>19 run by a man named Adam Brown?</p> <p>20 A. In -- I'm not sure. You just told me that, so</p> <p>21 I'm aware of it.</p> <p>22 Q. But you hadn't heard that before?</p> <p>23 A. No.</p> <p>24 Q. So you do not know who Adam Brown is?</p> <p>25 A. I do not.</p>	

<p>1 Q. And you don't know his role in regard to this 2 case?</p> <p>3 A. I do not.</p> <p>4 Q. And the QuoteWizard opt in notes a date of 5 August 5th, 2019. What is it that happened on that date 6 that caused you to put that in that document?</p> <p>7 A. That was the date that we purchased the lead 8 from RevPoint Media.</p> <p>9 Q. That's the date of the purchase. It's not -- 10 is it the date on which Mr. Mantha supposedly visited 11 the website?</p> <p>12 A. I do not know.</p> <p>13 Q. How is that date recorded by your system?</p> <p>14 A. How is it --</p> <p>15 MR. POLANSKY: Objection.</p> <p>16 Q. (BY MR. BRODERICK:) Well, you did a query of 17 a SQL database to pull this information?</p> <p>18 A. Correct.</p> <p>19 Q. And when you pulled up information relating to 20 Mr. Mantha, August 5th was in there as the date of 21 purchase?</p> <p>22 A. Yes.</p> <p>23 Q. And the website reference on the QuoteWizard 24 opt in is www.SnappyAutoInsurance.com. What's the -- 25 what's the significance of that reference in the</p>	Page 26	<p>1 MR. BRODERICK: And why is that -- why is an 2 email from RevPoint privileged?</p> <p>3 MR. POLANSKY: We can talk about it now, we 4 can talk about it later. It's privileged because it was 5 after receiving a demand letter from your -- I guess 6 your colleagues on behalf of the plaintiff in 7 preparation for litigation.</p> <p>8 MR. BRODERICK: So it's work product?</p> <p>9 MR. POLANSKY: That's right.</p> <p>10 MR. BRODERICK: Gathering information from 11 RevPoint about where the consent came from. Okay. I'll 12 just reserve that issue and keep moving.</p> <p>13 MR. POLANSKY: I understand.</p> <p>14 Q. (BY MR. BRODERICK:) And was any other 15 information in this document emailed to you by RevPoint?</p> <p>16 A. Like I said, the IP address was in there as 17 well.</p> <p>18 Q. In an email?</p> <p>19 A. Yes.</p> <p>20 Q. And so did this -- Mr. Mantha's, is that the 21 way your system works, that Mr. Mantha, that you 22 wouldn't -- if you got a lead like Mr. Mantha's, would 23 that form URL ordinarily be in the data packet?</p> <p>24 A. No.</p> <p>25 MR. POLANSKY: Objection.</p>	Page 28
<p>1 document?</p> <p>2 A. I'd have to go -- I mean, I have the 3 interrogatories up right now, so I'd have to go back to 4 the document.</p> <p>5 Q. Let's go back. Fair point.</p> <p>6 MR. POLANSKY: So we're going back to 7 Exhibit 2?</p> <p>8 MR. BRODERICK: That's right.</p> <p>9 Q. (BY MR. BRODERICK:) Do you have it up?</p> <p>10 A. I do, yes.</p> <p>11 Q. Okay. And it says "Form URL," and it should 12 say "Carrier List URL." I just wanted you to explain to 13 me again what that -- where you got that information, 14 how you pulled it out of the SQL database.</p> <p>15 A. That did not come from the SQL database, that 16 came from RevPoint Media in an email that was sent to 17 me.</p> <p>18 Q. And when was that email sent to you?</p> <p>19 A. I'm -- I don't know. I'd have to check my 20 email.</p> <p>21 Q. Do you know if that email was produced in this 22 litigation?</p> <p>23 A. I do not.</p> <p>24 MR. POLANSKY: Objection. It was identified 25 in the privilege log.</p>	Page 27	<p>1 Q. (BY MR. BRODERICK:) And would the consumer IP 2 address normally be in the data packet?</p> <p>3 MR. POLANSKY: Again, just relating to 4 Mr. Mantha; right?</p> <p>5 MR. BRODERICK: Yeah. Well, I want to know if 6 Mr. Mantha's is unique.</p> <p>7 MR. POLANSKY: Objection.</p> <p>8 A. I'm not sure I -- what was the question?</p> <p>9 Q. (BY MR. BRODERICK:) The "Consumer IP Address" 10 that shows up here, would you expect to find that in 11 a -- in the data packet that would already be in your 12 SQL database, or would you ordinarily have to get that 13 from the lead provider, in this case RevPoint, via an 14 email?</p> <p>15 A. We --</p> <p>16 MR. POLANSKY: Objection.</p> <p>17 You can answer.</p> <p>18 A. Like I said, we reach out to the lead provider 19 and they give us the IP address. It's not in the data 20 packet.</p> <p>21 Q. (BY MR. BRODERICK:) It's not in the data 22 packet. How about the Jornaya LeadID, is that in the 23 data packet, or do you have to get that after the fact?</p> <p>24 MR. POLANSKY: Objection --</p> <p>25 A. That is --</p>	Page 29

<p style="text-align: right;">Page 30</p> <p>1 MR. POLANSKY: -- to the extent it's speaking 2 about any others. 3 You can answer. 4 A. The Jornaya LeadiD is something that we 5 require. We don't purchase a lead without it being sent 6 to us as part of the -- as part of the lead information 7 being sent on the -- on the ping. That's something that 8 we get before we even formulate a bid. We will not buy 9 a lead without it. 10 Q. (BY MR. BRODERICK:) And was Mr. Mantha's, the 11 Jornaya LeadiD, was that in the ping that you got from 12 RevPoint? 13 A. Yes. 14 Q. So that is not a piece of information that you 15 had to get via email to put into this form; correct? 16 A. Correct. 17 Q. Okay. Thank you very much. 18 So did that URL, form URL, did RevPoint tell 19 you this is where Mr. Mantha opted in to get 20 solicitations? 21 A. That was the URL that was provided when I 22 asked for the consent information. 23 Q. Okay. And the IP address in this form, what 24 is the significance of that IP address? 25 MR. POLANSKY: Objection.</p>	<p style="text-align: right;">Page 32</p> <p>1 address? 2 A. I do not. 3 Q. If they don't match, could you explain why 4 that would be the case? 5 MR. POLANSKY: Objection. 6 A. I'm not an IP address expert. I can't. 7 Q. (BY MR. BRODERICK:) So you couldn't explain 8 why the IP address might tie to New Jersey, for example? 9 A. Yeah, I don't know. 10 Q. Okay. And the language, that "TCPA 11 Disclosure" language, can you tell me the date on which 12 you cut and pasted that language from the Snappy Auto 13 Insurance website? 14 A. I cannot tell you the exact date. 15 Q. But it was not on August 5th, 2019; correct? 16 A. No. We didn't receive the complaint at that 17 point. 18 Q. Okay. And can -- and it was after you -- this 19 whole document was created after you got the complaint 20 and you were trying to figure out where did this come 21 from; correct? 22 A. Correct. 23 Q. And do you know the date on which RevPoint 24 claims that Mr. Mantha visited SnappyAutoInsurance.com 25 to opt in to get text messages on behalf of QuoteWizard?</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. (BY MR. BRODERICK:) Let me ask you, why did 2 you include an IP address? 3 A. Why do I include an IP address in this report? 4 Q. Yes. 5 A. This is a report that we do. It's kind of a 6 template, if you will. We do a lot of work with a lot 7 of the large insurance carriers, and this was a report 8 that was formulated with them as far as satisfying 9 requests from them. 10 Q. Okay. And it says, "Consumer IP Address." Is 11 that meant to be this is the IP address from which 12 Mr. Mantha opted in to get text messages from 13 SelectQuote? 14 MR. POLANSKY: Objection. 15 A. It's the IP address that was provided to us by 16 RevPoint when asking for the complainant's IP address. 17 Q. (BY MR. BRODERICK:) Okay. And so the IP 18 address should -- should match Mr. Mantha or someone 19 associated with Mr. Mantha, if he was the one who opted 20 in to get this text; correct? 21 MR. POLANSKY: Objection. 22 A. I'm not an IP address expert. I -- I don't 23 know. 24 Q. (BY MR. BRODERICK:) Okay. Do you know 25 whether or not this IP address matches Mr. Mantha's IP</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I do not. 2 Q. Do you know what AutoInsurQuotes.com is? 3 A. I do not. 4 Q. Does it have any affiliation or relation to 5 QuoteWizard? 6 A. Not that I'm aware of. 7 Q. And at any time, was QuoteWizard a marketing 8 partner of AutoInsurQuotes.com? 9 MR. POLANSKY: Objection. 10 A. I -- a direct partner? 11 Q. (BY MR. BRODERICK:) No, a marketing partner. 12 Pardon me. 13 A. As in one of my vendors that I work with like 14 RevPoint or -- 15 Q. Well, the language in the TCPA, after -- the 16 heading you put in of "TCPA Disclosure," it says, "I 17 hereby consent to receive marketing communications via 18 autodialed and/or pre-recorded calls, including SMS 19 messages, from AutoInsurQuotes.com and one or more of 20 its marketing partners...." 21 Is QuoteWizard a marketing partner of 22 AutoInsurQuotes.com? 23 MR. POLANSKY: Objection. 24 A. I -- the way the -- I do not know. 25 Q. (BY MR. BRODERICK:) Okay. But you've never</p>

Page 34	Page 36
1 heard of AutoInsurQuotes.com; correct?	1 A. I didn't follow the question.
2 A. Correct.	2 Q. (BY MR. BRODERICK:) Well, the Jornaya LeadiD,
3 Q. Would you know who your marketing partners are	3 does Jornaya capture the IP address of -- did it capture
4 in your job?	4 the IP address of Mr. Mantha when he was visiting this
5 MR. POLANSKY: Objection.	5 website?
6 A. I know who my direct partners are.	6 MR. POLANSKY: Objection.
7 Q. (BY MR. BRODERICK:) So is it fair to say that	7 A. I'm not sure what Jornaya -- I don't work for
8 you know you don't have a contract with	8 Jornaya. I don't --
9 AutoInsurQuotes.com?	9 Q. (BY MR. BRODERICK:) You don't know what
10 A. Yes.	10 Jornaya --
11 Q. And the opt -- the QuoteWizard opt in, same	11 A. No.
12 exhibit, references a "Jornaya Lead ID."	12 Q. Do you know where RevPoint got the IP address
13 Can you tell me, what is Jornaya?	13 that it provided to you?
14 A. They're a company. I don't work for Jornaya,	14 A. I do not.
15 so I'm not the best to explain what they are, but they	15 Q. And this was provided directly from RevPoint,
16 are -- my understanding is they're a lead verification	16 not from Plural; correct?
17 company. They're kind of an industry standard, that	17 A. Correct.
18 everybody uses them or TrustedFrom, at this point.	18 Q. And do you know if the Jornaya LeadiD -- so
19 Q. TrustedFrom is their competitor?	19 the -- the Jornaya LeadiD was not the source of the
20 A. I believe that's the case, yes.	20 disclosure, the "TCPA Disclosure" language you have at
21 Q. Okay. And what does -- does QuoteWizard have	21 the bottom of the QuoteWizard opt in which is Exhibit 2;
22 a contract with Jornaya?	22 correct?
23 A. We do not.	23 MR. POLANSKY: Objection.
24 Q. Has it ever had a contract with Jornaya?	24 A. That's correct. As I said before, it came
25 MR. POLANSKY: Objection.	25 from the URL that was provided by RevPoint Media.
Page 35	Page 37
1 A. Not that I'm aware of.	1 Q. (BY MR. BRODERICK:) Did you do anything to
2 Q. (BY MR. BRODERICK:) And what's your	2 try to match that disclosure language to the date or
3 understanding of what a Jornaya LeadiD signifies?	3 dates on which Mr. Mantha visited, allegedly visited
4 What -- well, let me strike that.	4 that website?
5 Why does QuoteWizard require an Jornaya LeadiD	5 MR. POLANSKY: Objection.
6 on any lead that it buys?	6 A. I'm not sure I understand the question.
7 MR. POLANSKY: Objection.	7 Q. (BY MR. BRODERICK:) Well, you -- on the date
8 A. We require it for a number of reasons. I	8 that you can't remember, and I understand that, that you
9 mean, it's a signifier that there is a record around the	9 compiled this document as you said, that language was
10 leads, and it is also something that all of the major	10 what was on the website on the day on which you visited;
11 carriers, all of our lead buyers require as well.	11 correct?
12 Q. (BY MR. BRODERICK:) And is it fair to say	12 A. That is correct.
13 that Jornaya and QuoteWizard have no direct	13 Q. But you can't say whether the same language
14 relationship?	14 was on the website earlier, can you?
15 A. Not that I'm aware of.	15 A. I cannot say.
16 Q. Okay. And should that -- when does that --	16 Q. And is that the only time you visited
17 let me strike that. I may have asked this, and I	17 SnappyAutoInsurance.com?
18 honestly apologize.	18 A. Yes.
19 You don't know the date on which Mr. Mantha	19 Q. Let's turn to another exhibit.
20 supposedly visited SnappyAutoInsurance.com; correct?	20 MR. POLANSKY: Ed, before we get into the next
21 A. I do not.	21 exhibit, can we take a short break?
22 Q. And does the Jornaya LeadiD confirm the	22 MR. BRODERICK: Absolutely. Good thinking.
23 address used to access the SnappyAutoInsurance.com	23 THE VIDEOGRAPHER: We're going off the record.
24 website on some date?	24 The time now is 3:42 p.m. in the Eastern Time Zone.
25 MR. POLANSKY: Objection.	25 (Recess.)

<p style="text-align: right;">Page 38</p> <p>1 THE VIDEOGRAPHER: We are back on record. The 2 time now is 3:51 p.m. in the Eastern Time Zone. 3 Q. (BY MR. BRODERICK:) Mr. Weeks, are you aware 4 that RevPoint was issued a subpoena in this case in 5 regards to all documents related to Mr. Mantha's consent 6 to receive texts from QuoteWizard? 7 MR. POLANSKY: Did you say RevPoint was or 8 QuoteWizard was? 9 MR. BRODERICK: RevPoint was. 10 A. I'm not aware of anything from RevPoint. 11 Q. (BY MR. BRODERICK:) Have you ever seen what 12 RevPoint produced in response to that subpoena? 13 A. No. 14 Q. But it's RevPoint that QuoteWizard purchased 15 Mr. Mantha's data from; correct? 16 A. Yes. 17 Q. And that data is reflected in the QuoteWizard 18 opt in, correct, which is Exhibit 2? 19 A. Correct. 20 Q. Would you expect, then, that RevPoint would 21 produce documents that would match the information you 22 put on the QuoteWizard opt in? 23 MR. POLANSKY: Objection. 24 A. Yes. I mean, it should match. 25 Q. (BY MR. BRODERICK:) Okay. So I'm going to</p>	<p style="text-align: right;">Page 40</p> <p>1 A. Not that I can tell. 2 Q. Okay. And does it have an IP address listed? 3 A. Yes. 4 Q. And that IP address is 66.189.107.166; 5 correct? 6 A. Yes. 7 Q. And now I'm going to ask you to flip back to 8 Exhibit No. 2, which is the QuoteWizard opt in document 9 you compiled. 10 A. To the -- which -- there is two versions now. 11 Exhibit 2 or the original QuoteWizard opt in? 12 Q. Exhibit 2, sorry, Exhibit 2 is what I want you 13 to look at. 14 A. I'm there. 15 Q. Okay. That IP address is 96.242.132.28. 16 That's a different IP address than appears in the 17 RevPoint subpoena response; correct? 18 A. Yes. 19 Q. Is it your belief that either of those -- 20 well, is it your belief that this IP address, this 21 consumer IP address connects to Mr. Mantha? 22 MR. POLANSKY: Objection. 23 A. Which -- which IP address are you talking 24 about? 25 Q. (BY MR. BRODERICK:) On Exhibit 2, do you</p>
<p style="text-align: right;">Page 39</p> <p>1 ask you to look at, in the "Marked Exhibits" folder, the 2 RevPoint's subpoena response -- 3 A. Okay. 4 Q. -- which I'll represent to you -- sorry. 5 MR. POLANSKY: Is it "Subpoena Response 6 Combined"? 7 Q. (BY MR. BRODERICK:) Yeah, "RevPoint Subpoena 8 Response Combined." Do you got it? 9 A. Yep. 10 Q. Okay. So you've never seen this document 11 before; correct? 12 A. I have not, no. 13 Q. Okay. I'm going to ask you to -- I'll 14 represent to you that this is what was produced in 15 response to a subpoena issued by the plaintiff in the 16 case by RevPoint. And I'm going to ask you to scroll to 17 the last page. 18 A. Okay. 19 Q. Which was -- this was what was provided by 20 RevPoint. And would you look at that last page? Do you 21 see any reference in this document to 22 SnappyAutoInsurance.com? 23 A. I don't see SnappyAutoInsurance, no. 24 Q. And does this document make any reference to 25 the date of any website visit?</p>	<p style="text-align: right;">Page 41</p> <p>1 think that IP address connects to Mr. Mantha? 2 MR. POLANSKY: Objection. 3 A. That's the IP address that was provided to me 4 by RevPoint when asked for Mr. Mantha's IP address. 5 Q. (BY MR. BRODERICK:) Okay. Do you have any 6 more understanding or do you know why those IP addresses 7 are different in those two documents? 8 A. No idea. 9 Q. Now I want to show you another -- well, I want 10 to introduce that before I forget. Actually, let me 11 introduce the QuoteWizard answers to interrogatories. 12 We'll make that Exhibit 3. 13 And then I'm going to introduce the RevPoint 14 response as Exhibit 4, the subpoena response. 15 (Deposition Exhibits 3-4 were marked for 16 identification.) 17 Q. (BY MR. BRODERICK:) It will take a little 18 while to load. My apologies. 19 Okay. Now I'll show you -- sorry, I'm in the 20 wrong folder. I want to show you another document that 21 I can represent to you is a response to a subpoena 22 issued by the plaintiff in this case. 23 A. Which one do you want me looking at? 24 Q. I'm trying to make sure I'm asking you to look 25 at the right one.</p>

Page 42	Page 44
<p>1 A. "Tracks to Guerrero"?</p> <p>2 Q. Right. And I can represent to you that this</p> <p>3 is a response to a subpoena issued in this case by your</p> <p>4 attorneys, and particularly Christine Kingston.</p> <p>5 Have you seen that document before?</p> <p>6 A. I have not.</p> <p>7 Q. Okay. And I'll ask you to scroll to the</p> <p>8 second page. And do you recognize where it says "Target</p> <p>9 Details"?</p> <p>10 A. Yes, I see that.</p> <p>11 Q. And is that -- that is the same IP address as</p> <p>12 was on the RevPoint subpoena response, correct, which is</p> <p>13 66.189.107.166?</p> <p>14 A. Without seeing the two documents right next to</p> <p>15 each other, I can't say that that's the same.</p> <p>16 Q. Okay. Well, let me -- let me read to you</p> <p>17 first, before I show you -- we go back to the RevPoint</p> <p>18 subpoena response, this subpoena, this is from Charter</p> <p>19 Communications saying, "Charter Communications, Inc.</p> <p>20 acknowledges receipt of the above referenced request for</p> <p>21 subscriber information." And it says, "Pursuant to the</p> <p>22 specific obligations imposed by 47 U.S.C. section 551(c)</p> <p>23 and (h), the Federal Cable Privacy Act, this letter is</p> <p>24 to advise you that Charter investigated and was able to</p> <p>25 identify the attached information."</p>	<p>1 same number in Charter Communications' response, which</p> <p>2 is 66.189.107.166.</p> <p>3 A. Yes, that's the same.</p> <p>4 Q. And then there is a date there, six dash --</p> <p>5 "6/26/2019." Correct?</p> <p>6 A. Correct.</p> <p>7 Q. And there is an individual listed named Mario</p> <p>8 Guerrero who lives at 26 Pemberton Street, Apartment 2</p> <p>9 in Worcester, Mass. Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. And are you aware that your attorneys are</p> <p>12 going to depose -- well, I guess it's not going to be</p> <p>13 Mr. Guerrero because he's a minor, but it could be his</p> <p>14 sister?</p> <p>15 MR. POLANSKY: Objection; relevance.</p> <p>16 Q. (BY MR. BRODERICK:) Well, do you know if that</p> <p>17 IP address ties to Mr. Mantha?</p> <p>18 MR. POLANSKY: Objection.</p> <p>19 A. I don't know.</p> <p>20 Q. (BY MR. BRODERICK:) And so you can't explain</p> <p>21 why RevPoint's subpoena response has an IP address that</p> <p>22 does not match what was in QuoteWizard's opt in, which</p> <p>23 is Exhibit 2?</p> <p>24 MR. POLANSKY: Objection.</p> <p>25 A. I -- I can't explain why it doesn't match what</p>
Page 43	Page 45
<p>1 Now, so let's go back to the Exhibit 4.</p> <p>2 Scroll all the way to the bottom. And that IP address,</p> <p>3 where it says "IP address," colon, it says,</p> <p>4 "66.189.107.166."</p> <p>5 Now, that's the same IP address as Charter</p> <p>6 Communications' response in the documents we were just</p> <p>7 looking at; correct?</p> <p>8 MR. POLANSKY: Objection.</p> <p>9 A. Like I said, I mean, I'd like to see the two</p> <p>10 next to each other or write them down and compare.</p> <p>11 Q. (BY MR. BRODERICK:) No, that's fine. Let's</p> <p>12 write them down. We'll go back to Exhibit 4. You can</p> <p>13 write this -- write down -- this was RevPoint, this is</p> <p>14 RevPoint's response to a subpoena, Exhibit 4. There is</p> <p>15 an IP address in that document.</p> <p>16 A. Uh-huh.</p> <p>17 Q. And you can write it down.</p> <p>18 A. Yeah.</p> <p>19 Q. 66.189.107.166.</p> <p>20 A. Yes, I've written that down.</p> <p>21 Q. Okay. And then after we got that, your</p> <p>22 attorney sent a subpoena to Charter Communications</p> <p>23 trying to find out who owned that IP address, who was</p> <p>24 using that IP address.</p> <p>25 And do you see "Target Details"? That's the</p>	<p>1 RevPoint provided to me.</p> <p>2 MR. BRODERICK: Okay. And I'd like to</p> <p>3 introduce this IP subpoena for RevPoint, which will be</p> <p>4 Exhibit 5.</p> <p>5 (Deposition Exhibit 5 was marked for</p> <p>6 identification.)</p> <p>7 Q. (BY MR. BRODERICK:) Were you aware that</p> <p>8 Plural Marketing Solutions was issued a subpoena for all</p> <p>9 documents related to Mr. Mantha's alleged consent to</p> <p>10 receive texts from QuoteWizard?</p> <p>11 A. I was not.</p> <p>12 Q. So you haven't seen that response before</p> <p>13 today?</p> <p>14 A. I have not.</p> <p>15 Q. So I'm going to show you another document.</p> <p>16 This is in the "Marked Exhibits" folder, and it is</p> <p>17 Plural -- we have a typo, but it's supposed to say</p> <p>18 "Plural Response to Mantha Subpoena."</p> <p>19 A. Yes, I see that.</p> <p>20 Q. And you've never seen this document before;</p> <p>21 correct?</p> <p>22 A. I have not.</p> <p>23 Q. And I'll ask you to go all the way to the</p> <p>24 bottom, end of the document. Actually, excuse me, not</p> <p>25 the end of the document. We're on page -- after</p>

Page 46	Page 48
<p>1 Exhibit C, if you can scroll down.</p> <p>2 A. Okay.</p> <p>3 Q. And this is, I'll represent to you, is</p> <p>4 Plural's response to a subpoena issued by the plaintiff</p> <p>5 in this case.</p> <p>6 A. Okay.</p> <p>7 Q. And do you see, if you scroll down, do you see</p> <p>8 applicant -- "Applicant IP Address"?</p> <p>9 A. Yes.</p> <p>10 Q. You can write that one down, too, but it's --</p> <p>11 let me introduce this before I get too far so we can be</p> <p>12 clear enough what we're talking about. I'm going to</p> <p>13 introduce this as Exhibit 6.</p> <p>14 (Deposition Exhibit 6 was marked for</p> <p>15 identification.)</p> <p>16 Q. (BY MR. BRODERICK:) So now you can look at</p> <p>17 the marked version with the stamp on it, Exhibit 6.</p> <p>18 Just tell me when you have it up on your screen.</p> <p>19 A. And go back down to just below Exhibit C?</p> <p>20 Q. Thank you, yes.</p> <p>21 A. Okay.</p> <p>22 Q. Do you see where it says "IP Address"?</p> <p>23 A. Yes.</p> <p>24 Q. And this is in Exhibit 6, there is an IP</p> <p>25 address of "96.242.132.28."</p>	<p>1 Q. Okay. Let's go back to Exhibit 2. You can</p> <p>2 write that one down.</p> <p>3 A. Oh, that does looks like it matches. It does</p> <p>4 match.</p> <p>5 Q. Can you tell me how it is that you matched</p> <p>6 Plural's but not RevPoint's IP address in that document?</p> <p>7 MR. POLANSKY: Objection.</p> <p>8 A. I cannot. I can only say that the IP address</p> <p>9 that I have received I received from RevPoint Media.</p> <p>10 Q. (BY MR. BRODERICK:) Okay. And let's go back</p> <p>11 to Exhibit 6.</p> <p>12 Does QuoteWizard contend that Mr. Mantha</p> <p>13 visited Snappy Auto Insurance and provided his consent</p> <p>14 on that site?</p> <p>15 A. Yes.</p> <p>16 Q. And on what date?</p> <p>17 A. I do not know.</p> <p>18 Q. Plural lists 6/26/2019, or at least it lists</p> <p>19 date of application. Do you have any reason to believe</p> <p>20 that is the date that someone visited and put in</p> <p>21 Mr. Mantha's information?</p> <p>22 MR. POLANSKY: Objection.</p> <p>23 A. I have no idea.</p> <p>24 Q. (BY MR. BRODERICK:) Do you know anything</p> <p>25 about the person who resides at -- whose IP address this</p>
Page 47	Page 49
<p>1 A. Yes.</p> <p>2 Q. And then it says "Applicant IP Address."</p> <p>3 A. Yes.</p> <p>4 Q. And then it says, "Applicant IP Address ISP:</p> <p>5 Verizon."</p> <p>6 You understand "ISP" means Internet service</p> <p>7 provider?</p> <p>8 A. Yes.</p> <p>9 Q. And the "Applicant IP Location" is listed as</p> <p>10 Morristown, New Jersey?</p> <p>11 MR. POLANSKY: Are you just asking him to read</p> <p>12 from the document?</p> <p>13 Q. (BY MR. BRODERICK:) Yeah. Well, I'm just</p> <p>14 saying -- how do you understand what that means? That's</p> <p>15 where the person applied from; correct?</p> <p>16 MR. POLANSKY: Objection.</p> <p>17 A. That's the location of this IP address. I</p> <p>18 don't --</p> <p>19 Q. (BY MR. BRODERICK:) And that IP address</p> <p>20 provided by Plural as the "Applicant IP Address" doesn't</p> <p>21 match either the QuoteWizard -- doesn't match the</p> <p>22 QuoteWizard opt in from Exhibit 2 that you compiled;</p> <p>23 correct?</p> <p>24 A. I don't know. I don't have that one in front</p> <p>25 of me, and I didn't write that one down.</p>	<p>1 is on the Plural Exhibit 6?</p> <p>2 A. I have no idea.</p> <p>3 Q. There is no sale date on this Plural document;</p> <p>4 correct?</p> <p>5 MR. POLANSKY: Objection.</p> <p>6 Q. (BY MR. BRODERICK:) Sale of the lead. On</p> <p>7 QuoteWizard 2 you listed a date. Well, that was the</p> <p>8 date that you purchased the lead. There is no lead sale</p> <p>9 date on this document; correct?</p> <p>10 A. I haven't read this whole document. I have no</p> <p>11 idea.</p> <p>12 Q. Okay. Well, I'm just asking you to look at</p> <p>13 this one page of data here.</p> <p>14 A. Back down just below Exhibit C?</p> <p>15 Q. Yes, thank you.</p> <p>16 MR. POLANSKY: Objection.</p> <p>17 A. So you want me to see if there is a sale date?</p> <p>18 Q. (BY MR. BRODERICK:) Yes.</p> <p>19 A. There is not a sales date.</p> <p>20 Q. Okay. And you don't -- I believe you</p> <p>21 testified you didn't know the date of the visit, the</p> <p>22 alleged visit to SnappyAutoInsurance.com; correct?</p> <p>23 A. That is correct.</p> <p>24 MR. POLANSKY: Objection.</p> <p>25 Q. (BY MR. BRODERICK:) And does the Plural data</p>

<p style="text-align: right;">Page 50</p> <p>1 on this page make any reference to a Jornaya LeadiD?</p> <p>2 MR. POLANSKY: Objection.</p> <p>3 A. I do not see anything that says Jornaya</p> <p>4 LeadiD.</p> <p>5 Q. (BY MR. BRODERICK:) Do you know if the</p> <p>6 Jornaya LeadiD that appears on QuoteWizard -- on the</p> <p>7 QuoteWizard opt in, which is Exhibit 2, do you know</p> <p>8 if -- do you know where that came from?</p> <p>9 A. We received that from RevPoint Media.</p> <p>10 Q. Okay. But you don't know what that Jornaya</p> <p>11 LeadiD ties to, do you?</p> <p>12 A. I couldn't hear the last half of that.</p> <p>13 Q. I'm sorry. You don't know what that Jornaya</p> <p>14 LeadiD ties to, do you?</p> <p>15 A. Ties to? I'm not sure I understand.</p> <p>16 Q. Well, does the Jornaya LeadiD indicate that</p> <p>17 someone from Mr. Mantha's IP address logged on and</p> <p>18 provided consent on SnappyAutoInsurance.com?</p> <p>19 MR. POLANSKY: Objection.</p> <p>20 A. I don't know.</p> <p>21 Q. (BY MR. BRODERICK:) Okay. And are you aware</p> <p>22 that a subpoena was issued to Verizon to identify the</p> <p>23 subscriber assigned to the IP address contained on the</p> <p>24 Plural opt in as of June 26, 2019? By "Plural opt in,"</p> <p>25 I mean Exhibit 6 that we've just been talking about.</p>	<p style="text-align: right;">Page 52</p> <p>1 information on SnappyAutoInsurance.com on behalf of</p> <p>2 Mr. Mantha?</p> <p>3 MR. POLANSKY: Objection.</p> <p>4 A. I have no idea.</p> <p>5 Q. (BY MR. BRODERICK:) Do you know why</p> <p>6 Mr. Petroff's IP address shows up on the QuoteWizard opt</p> <p>7 in, which is Exhibit 2?</p> <p>8 MR. POLANSKY: Objection; asked and answered</p> <p>9 several times.</p> <p>10 A. It shows up there because that's the IP</p> <p>11 address that I was given by RevPoint Media.</p> <p>12 MR. BRODERICK: And I'm going to mark this</p> <p>13 as -- introduce that exhibit. That will be Exhibit 7.</p> <p>14 (Deposition Exhibit 7 was marked for</p> <p>15 identification.)</p> <p>16 Q. (BY MR. BRODERICK:) Can you turn back to</p> <p>17 Exhibit 6?</p> <p>18 MR. POLANSKY: What page?</p> <p>19 Q. (BY MR. BRODERICK:) Scrolling back down to --</p> <p>20 MR. BRODERICK: I'm just getting there. Hold</p> <p>21 on. I'll tell you.</p> <p>22 MR. POLANSKY: 15?</p> <p>23 Q. (BY MR. BRODERICK:) After exhibit -- no, it's</p> <p>24 after the page we were looking at, when we get to what</p> <p>25 looks like an image of the SnappyAutoInsurance.com</p>
<p style="text-align: right;">Page 51</p> <p>1 A. I'm not aware.</p> <p>2 Q. Okay. So I'm going to show you Verizon's</p> <p>3 subpoena response. I want you to open the Verizon --</p> <p>4 the document that says "Verizon IP." It should say</p> <p>5 June, but it says "Jue 26, 2019." Can you open that?</p> <p>6 A. Yep.</p> <p>7 Q. And I'll represent to you that this is a</p> <p>8 subpoena response in response to a subpoena issued by</p> <p>9 the plaintiff in this case for a search for the Verizon</p> <p>10 customer that was assigned IP address 96.242.132.28.</p> <p>11 First of all, that's the same IP address that</p> <p>12 shows up on the Plural subpoena response; correct?</p> <p>13 MR. POLANSKY: Objection.</p> <p>14 A. Yes, it is.</p> <p>15 Q. (BY MR. BRODERICK:) And that's the same IP</p> <p>16 address that shows up on the QuoteWizard opt in</p> <p>17 document, which is Exhibit 2; correct?</p> <p>18 A. Yes.</p> <p>19 Q. And the customer name is, on this subpoena</p> <p>20 response, is Peter Petroff; correct?</p> <p>21 A. Yes.</p> <p>22 Q. And do you know of any connection between</p> <p>23 Mr. Petroff and Mr. Mantha?</p> <p>24 A. I do not.</p> <p>25 Q. Does QuoteWizard believe Mr. Petroff put in</p>	<p style="text-align: right;">Page 53</p> <p>1 website.</p> <p>2 A. Just below the section we were previously</p> <p>3 looking at under Exhibit C?</p> <p>4 Q. Exactly.</p> <p>5 MR. POLANSKY: Just for record purposes, it's</p> <p>6 page 16 of 20 on Exhibit 7 -- no, Exhibit 6.</p> <p>7 Go ahead.</p> <p>8 Q. (BY MR. BRODERICK:) Now, previously we went</p> <p>9 over Exhibit 2, which I've been calling the QuoteWizard</p> <p>10 opt in, the document that you compiled.</p> <p>11 A. Uh-huh.</p> <p>12 Q. On this subpoena response from Plural, do you</p> <p>13 see any "TCPA Disclosure" language --</p> <p>14 MR. POLANSKY: Objection.</p> <p>15 Q. (BY MR. BRODERICK:) -- similar to what you</p> <p>16 copied into Exhibit 2 when you yourself visited the</p> <p>17 SnappyAutoInsurance.com website?</p> <p>18 MR. POLANSKY: Objection.</p> <p>19 A. I do not. How far down am I supposed to be</p> <p>20 going? It seems to go for a while. Yeah, I don't -- I</p> <p>21 mean, I don't see anything.</p> <p>22 Q. (BY MR. BRODERICK:) Okay. Do you know what</p> <p>23 this -- do you think that's a complete version of the</p> <p>24 website, or was there something different that you</p> <p>25 captured that language from when you created Exhibit 2?</p>

<p style="text-align: right;">Page 54</p> <p>1 A. You're kind of fading in and out for me. 2 Q. Do you -- do you know if that's a -- does that 3 look like the Snappy Auto insurance website that you 4 visited in order to cut and paste the "TCPA Disclosure" 5 language?</p> <p>6 A. I don't remember.</p> <p>7 Q. Okay. So you don't know what -- why that 8 language doesn't show up on Exhibit 7?</p> <p>9 A. I have no idea.</p> <p>10 Q. And would you agree with me that this -- 11 Exhibit 6, the Plural response to Mantha's subpoena, 12 there is no reference to AutoInsurQuotes.com and its 13 marketing partners on this document? I'll just 14 represent that to you. Do you know why that is?</p> <p>15 MR. POLANSKY: Objection. I think that's 16 incorrect as well.</p> <p>17 Q. (BY MR. BRODERICK:) (Inaudible.)</p> <p>18 MR. POLANSKY: We can't hear you. Ed, are you 19 talking? We can't hear anything, unless you guys can't 20 hear me.</p> <p>21 THE WITNESS: I can hear you. I can't hear 22 him at all.</p> <p>23 THE VIDEOGRAPHER: We can't hear.</p> <p>24 MR. BRODERICK: Can you hear me?</p> <p>25 MR. POLANSKY: Yeah, you're going in and out.</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. BRODERICK: But it was working okay? 2 MR. POLANSKY: Now we can hear you. Don't 3 hold that, put that down. No, we can't hear you if 4 you're holding it.</p> <p>5 MR. BRODERICK: I was holding it when you 6 heard me. Now?</p> <p>7 MR. POLANSKY: Yeah, that's better. 8 No, that's no good.</p> <p>9 THE VIDEOGRAPHER: Can we go off record and 10 maybe we attempt to switch to phone audio?</p> <p>11 MR. POLANSKY: Okay, go off record again.</p> <p>12 THE VIDEOGRAPHER: Off record at 4:32 p.m. 13 (Discussion off the record.)</p> <p>14 THE VIDEOGRAPHER: Back on record. The time 15 now is 4:34 p.m.</p> <p>16 Q. (BY MR. BRODERICK:) Okay, Mr. Weeks. So do 17 you have any -- any explanation for why the Plural opt 18 in, which is what I'm referring to as Exhibit 6, would 19 be different from the QuoteWizard opt in?</p> <p>20 MR. POLANSKY: Objection.</p> <p>21 We can't hear you, Matthew.</p> <p>22 A. Why our document is different from theirs?</p> <p>23 Q. (BY MR. BRODERICK:) Well, let me -- let me 24 rephrase. And specifically with respect to references 25 to AutoInsurQuotes.com and its marketing partners, if</p>
<p style="text-align: right;">Page 55</p> <p>1 Ted, we can't hear you. No. I can see your mouth 2 moving, but...</p> <p>3 THE VIDEOGRAPHER: Should we go off record, 4 Mr. Polansky?</p> <p>5 MR. POLANSKY: Yeah, let's go off record until 6 we can fix Ted.</p> <p>7 THE VIDEOGRAPHER: Going off record. The time 8 now is 4:23 p.m.</p> <p>9 (Recess.)</p> <p>10 THE VIDEOGRAPHER: We are back on record. 11 It's now 4:30 p.m. in the Eastern Time Zone.</p> <p>12 Q. (BY MR. BRODERICK:) Okay. So Mr. Weeks, 13 turning back to Exhibit 6, the final part which starts 14 at page 15, which looks like a representation of the 15 SnappyAutoInsurance.com website, at least part of it, 16 this is -- this is Plural's response to a subpoena.</p> <p>17 From page 15 on, there is no -- would you 18 agree there is no reference to AutoInsurQuotes.com?</p> <p>19 A. I have no idea. I mean, this is -- there is a 20 lot of text here. It would take a while to read this.</p> <p>21 Q. I represent to you that is --</p> <p>22 THE VIDEOGRAPHER: Counsel, we can't hear you.</p> <p>23 MR. BRODERICK: Really?</p> <p>24 MR. POLANSKY: Yeah, you're coming in very 25 low.</p>	<p style="text-align: right;">Page 57</p> <p>1 you --</p> <p>2 A. I mean, I can't speak to their document.</p> <p>3 Q. But you don't have any knowledge of whether 4 RevPoint added the language that it provided to you?</p> <p>5 Strike that.</p> <p>6 Do you know why the Plural Exhibit 6 doesn't 7 reference a Jornaya LeadiD?</p> <p>8 MR. POLANSKY: Objection.</p> <p>9 A. I can't speak to anything in their document.</p> <p>10 I don't -- I don't know.</p> <p>11 Q. (BY MR. BRODERICK:) Okay. You don't know 12 who -- where that Jornaya LeadiD came from, other than 13 it was provided to you by RevPoint?</p> <p>14 A. The ID? The Jornaya LeadiD that we have was 15 provided to us by RevPoint.</p> <p>16 Q. Yeah. And that was the one that was via email 17 that we talked about earlier?</p> <p>18 A. Yes. Well, the ID --</p> <p>19 Q. No, no, strike that. I think that's wrong.</p> <p>20 But that's fine. Strike that question.</p> <p>21 Do you know who -- does RevPoint have a 22 contract with Jornaya, to your knowledge?</p> <p>23 A. I have no idea of RevPoint's contract 24 situations.</p> <p>25 Q. And same for Plural, you don't know if they</p>

Page 58	Page 60
<p>1 have a contract with Jornaya?</p> <p>2 A. I have no idea.</p> <p>3 MR. BRODERICK: Okay. Now, I'm getting close.</p> <p>4 I'm going to introduce the IP subpoena for</p> <p>5 RevPoint, and that's going to be Exhibit 7.</p> <p>6 MR. POLANSKY: The June 26th -- you have an</p> <p>7 Exhibit 7, and it says Verizon IP June, versus J-U-E --</p> <p>8 MR. BRODERICK: Okay, sorry. So this will be</p> <p>9 eight, unless I just clicked the wrong thing.</p> <p>10 MR. POLANSKY: So what is Exhibit 8?</p> <p>11 MR. BRODERICK: I'm trying to figure that out</p> <p>12 myself.</p> <p>13 Did I introduce Charter before? I apologize.</p> <p>14 Let's see here.</p> <p>15 MR. POLANSKY: Yeah.</p> <p>16 MR. BRODERICK: You know what the problem is?</p> <p>17 My page isn't refreshing.</p> <p>18 MR. POLANSKY: So just to help you out, you</p> <p>19 have Exhibits 1 through 7. You have Exhibit 7 as the</p> <p>20 Verizon IP address for June 26, 2019.</p> <p>21 MR. BRODERICK: Yeah, I got it, I got it, I</p> <p>22 got it, I got it.</p> <p>23 Okay. What I was trying to do was introduce</p> <p>24 the IP subpoena for RevPoint which tracks to Guerrero.</p> <p>25 MR. POLANSKY: You have that.</p>	<p>1 A. I have not.</p> <p>2 Q. And going down to the bottom here, do you see</p> <p>3 a -- is that -- now we have a "Universal LeadiD" on the</p> <p>4 last page of Exhibit 8, which is the Jornaya response.</p> <p>5 Have you ever seen a Jornaya LeadiD like this?</p> <p>6 MR. POLANSKY: Objection.</p> <p>7 A. Like -- like what? I'm not --</p> <p>8 Q. (BY MR. BRODERICK:) Well, in connection with</p> <p>9 your work. Like, I just want to know if this is a --</p> <p>10 this LeadiD which ties -- you know, which is the LeadiD</p> <p>11 that was on -- well, this LeadiD on the last page of</p> <p>12 Exhibit 8, is that the same lead, Jornaya LeadiD that's</p> <p>13 on Exhibit 2?</p> <p>14 MR. POLANSKY: Objection.</p> <p>15 A. I have no idea. I'd have to go back and look.</p> <p>16 Q. (BY MR. BRODERICK:) I want to do that,</p> <p>17 because I just -- I'm just trying to establish that --</p> <p>18 because what we tried to do, I'll just explain, was take</p> <p>19 the LeadiD from the QuoteWizard opt in, which is</p> <p>20 Exhibit 2, and asked Jornaya to provide us with</p> <p>21 information on that LeadiD. I just want to confirm</p> <p>22 that.</p> <p>23 All right. I've got it written down. Let's</p> <p>24 go look at Exhibit 2. Can you write down the Jornaya</p> <p>25 LeadiD?</p>
Page 59	Page 61
<p>1 MR. BRODERICK: Oh, jeez.</p> <p>2 MR. POLANSKY: That's No. 5.</p> <p>3 MR. BRODERICK: That's No. 5, okay. What I --</p> <p>4 just a tip for next time we do this: It's good to cut</p> <p>5 them out of your private folder, out of your marked</p> <p>6 folder, and then you don't go over the same thing twice.</p> <p>7 We have not gone over -- have we gone over</p> <p>8 Jornaya, Jornaya subpoena response?</p> <p>9 MR. POLANSKY: No.</p> <p>10 Q. (BY MR. BRODERICK:) Okay. That is what I</p> <p>11 wanted to show you.</p> <p>12 MR. POLANSKY: Do you want to just mark it as</p> <p>13 Exhibit 8 now so we don't have to go back and forth?</p> <p>14 MR. BRODERICK: Thank you, Kevin.</p> <p>15 (Deposition Exhibit 8 was marked for</p> <p>16 identification.)</p> <p>17 Q. (BY MR. BRODERICK:) Yeah, so we've marked the</p> <p>18 Jornaya subpoena response as Exhibit 8. And Mr. Weeks,</p> <p>19 I'll represent to you that that is a response from</p> <p>20 Jornaya to a subpoena issued to it in connection with</p> <p>21 this case.</p> <p>22 And we've already talked about that you don't</p> <p>23 have any relationship -- QuoteWizard does not have any</p> <p>24 relationship with Jornaya. Have you ever seen this</p> <p>25 response before, Exhibit 8?</p>	<p>1 A. I did the opposite. I went back and wrote it</p> <p>2 down from two and was going to go back and look at the</p> <p>3 one for eight.</p> <p>4 Q. So now you're looking at -- you wrote it down</p> <p>5 from two, which is the QuoteWizard opt in? Yes?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. And that's the same LeadiD as appears</p> <p>8 on Exhibit 8, correct, in the last page of Exhibit 8?</p> <p>9 A. Yes, that's the same.</p> <p>10 Q. Okay. And that LeadiD, this -- this response</p> <p>11 from Jornaya says that the "Event Date" was 6/21/2019.</p> <p>12 And it has an "IP Address" of 13.66.191.218. And we're</p> <p>13 talking about on Exhibit 8.</p> <p>14 Now, that's a different IP address from all</p> <p>15 the other IP addresses we've discussed; correct?</p> <p>16 A. Yes.</p> <p>17 MR. POLANSKY: Objection.</p> <p>18 Q. (BY MR. BRODERICK:) Okay. And do you know</p> <p>19 what it means where it says, "TCPA information witnessed</p> <p>20 by TCPA Guardian: TCPA disclosure statement witnessed</p> <p>21 at the lead event," colon. And it says, "Jornaya cannot</p> <p>22 verify TCPA disclosure language because a disclosure was</p> <p>23 not tagged on the website according to Jornaya's</p> <p>24 standard instructions."</p> <p>25 Do you know what that means?</p>

<p style="text-align: right;">Page 62</p> <p>1 A. I do not.</p> <p>2 Q. And have you ever talked to anyone at Jornaya</p> <p>3 about that LeadiD or that language?</p> <p>4 A. I have not.</p> <p>5 Q. Okay. And similarly -- no, we've already</p> <p>6 covered that.</p> <p>7 And having reviewed all of these subpoena</p> <p>8 responses in this case, is it still Quote -- your</p> <p>9 position that Mr. Mantha consented to receive</p> <p>10 telemarketing texts from QuoteWizard?</p> <p>11 MR. POLANSKY: Objection.</p> <p>12 A. It's our opinion that consent was provided.</p> <p>13 Q. (BY MR. BRODERICK:) And that consent was on</p> <p>14 SnappyAutoInsurance.com?</p> <p>15 A. According to the email that I received from</p> <p>16 RevPoint Media, yes.</p> <p>17 MR. BRODERICK: Okay. All right. Well, I</p> <p>18 don't have anything further. Thank you very much for</p> <p>19 your time. And I don't know if Kevin has any questions</p> <p>20 for you.</p> <p>21 MR. POLANSKY: I do. I just have a couple.</p> <p>22 This won't take all but a few minutes, but there are a</p> <p>23 couple of areas that I want to clarify stuff on.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. -- and tell me when you've done that.</p> <p>2 A. Okay.</p> <p>3 Q. And then pop out of that exhibit and go to</p> <p>4 Exhibit 2, the QuoteWizard opt in.</p> <p>5 A. Okay.</p> <p>6 Q. And go to the "TCPA Disclosure" that you</p> <p>7 copied and pasted from the SnappyAutoInsurance website.</p> <p>8 A. Uh-huh.</p> <p>9 Q. Can you tell me if those phone numbers are a</p> <p>10 match?</p> <p>11 A. Yes, they match.</p> <p>12 Q. Okay. So now do you see where it says, right</p> <p>13 before that phone number, "please call</p> <p>14 AutoInsurQuotes.com"?</p> <p>15 A. Yes.</p> <p>16 Q. You were asked some questions earlier about</p> <p>17 AutoInsurQuotes.com; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. I want you to go back to Exhibit 6 and, if you</p> <p>20 can, I know this is not the most easy thing, but go back</p> <p>21 to that page you just had the phone number.</p> <p>22 A. Uh-huh.</p> <p>23 Q. On my screen it comes up as page 16 of 20. I</p> <p>24 don't know what it shows up on yours.</p> <p>25 Under that phone number, do you see where it</p>
<p style="text-align: right;">Page 63</p> <p>1 EXAMINATION</p> <p>2 BY MR. POLANSKY:</p> <p>3 Q. Okay. So first I want to switch gears and go</p> <p>4 back to Exhibit 6.</p> <p>5 A. Okay.</p> <p>6 Q. Now, I understand that you haven't seen this</p> <p>7 document before, but you were asked some questions on</p> <p>8 it, specifically as it related to auto insurance quotes.</p> <p>9 A. Yes, I believe so.</p> <p>10 Q. I want to go to page I think it's 16 of 20 on</p> <p>11 Exhibit 6. And if you scroll to the very bottom of that</p> <p>12 page, it's the last sentence where it says, starts,</p> <p>13 "Taking advantage of..."</p> <p>14 A. For some reason, the page numbers aren't</p> <p>15 showing up.</p> <p>16 Oh, here we go. Hold on one sec.</p> <p>17 Q. It's the page where it says enter zip code.</p> <p>18 A. Okay.</p> <p>19 Q. Okay? So go to the very bottom of that page.</p> <p>20 I'm going to direct you as best I can. It says, "Call</p> <p>21 1-888-920-8495 for your Instant Quote now."</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And so I want to first look at that</p> <p>24 phone number. So write down that phone number --</p> <p>25 A. Okay.</p>	<p style="text-align: right;">Page 65</p> <p>1 says "SnappyAutoInsurance.com"?</p> <p>2 A. Yes.</p> <p>3 Q. And then do you see where it says "Copyright</p> <p>4 2013"?</p> <p>5 A. Yes.</p> <p>6 Q. And then on your page is there another</p> <p>7 sentence there?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Can you read that sentence to me?</p> <p>10 A. "Taking advantage of this free Auto Insurance</p> <p>11 Quote service is completely optional and will not impact</p> <p>12 your ability to win samples, prizes, or sweepstakes."</p> <p>13 Q. Okay. So it says "Auto Insurance Quote</p> <p>14 service." Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Now, looking at the same page, at the</p> <p>17 very top of that page do you see where it looks like</p> <p>18 there is a website, URL address,</p> <p>19 "SnappyAutoInsurance.com"?</p> <p>20 A. Yes.</p> <p>21 Q. And underneath it says "58 captures"?</p> <p>22 A. Uh-huh.</p> <p>23 Q. Do you -- do you understand what those 58</p> <p>24 captures are?</p> <p>25 A. I do not.</p>

<p style="text-align: right;">Page 66</p> <p>1 Q. Okay. And do you see the dates 10 March 2014 2 to September 6, 2019?</p> <p>3 A. Uh-huh.</p> <p>4 Q. And you don't know what those dates are, 5 either, I assume; is that correct?</p> <p>6 A. I do not.</p> <p>7 Q. Okay. Now, you testified earlier that you 8 went on to the SnappyAutoInsurance.com website to obtain 9 the "TCPA Disclosure" that you believe Mr. Mantha would 10 have seen; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Do you know if you went into and entered any 13 information to get in this form here on page six -- or 14 Exhibit 6?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. So what you're looking at isn't the 17 final form that you saw?</p> <p>18 A. No.</p> <p>19 Q. And again, you don't -- you don't have any 20 understanding, sitting here today, what the 58 captures 21 are?</p> <p>22 A. I do not.</p> <p>23 Q. Earlier you were asked some questions by 24 plaintiff's counsel about when you prepared the Quote -- 25 the QuoteWizard data file, the opt in information; is</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. And he provided information to you via email?</p> <p>2 A. Correct.</p> <p>3 Q. And you used that information to prepare at 4 least a portion of Exhibit 2; is that right?</p> <p>5 A. Yes.</p> <p>6 Q. Now, you said the other information came from 7 your data system at QuoteWizard; is that right?</p> <p>8 A. Yes.</p> <p>9 Q. Did QuoteWizard generate any of that 10 information, or is that information that came from 11 RevPoint?</p> <p>12 A. It all ultimately came from RevPoint. It's 13 just I went to our database, because that's where it's 14 stored for me.</p> <p>15 Q. Okay.</p> <p>16 A. But all this information in this ultimately 17 came from RevPoint.</p> <p>18 Q. So I just want to be clear. So QuoteWizard 19 didn't create any of this data, you just happened to 20 take it from two different sources and put it together; 21 right?</p> <p>22 A. Correct. The only thing that would have been 23 created by us was the lead purchase date.</p> <p>24 Q. Okay. And that's the date that you purchased 25 the lead?</p>
<p style="text-align: right;">Page 67</p> <p>1 that right?</p> <p>2 A. Yes.</p> <p>3 Q. And you kept on referring to a "complaint." 4 When you say "complaint," are you referring to a demand 5 letter, or are you referring to a complaint that was 6 filed in this lawsuit?</p> <p>7 A. I may have misspoke. It was the original 8 demand letter that we got.</p> <p>9 Q. Okay. So after -- so if I understand 10 correctly, after receiving that demand letter, that's 11 when you reached out to RevPoint for the consent 12 information?</p> <p>13 A. Yes.</p> <p>14 Q. So you were using "complaint" to mean demand 15 letter, just to be clear for the record?</p> <p>16 A. Yeah. I apologize. I'm not a lawyer.</p> <p>17 Q. Okay. Going back to Exhibit 2, which is the 18 QuoteWizard opt in, and I think you cleared this up but 19 I just want to make sure the record is clear.</p> <p>20 Now, after receiving that demand letter, you 21 reached out to Michael Fishman at QuoteWizard; is that 22 right?</p> <p>23 A. Of RevPoint.</p> <p>24 Q. Oh, excuse me, of RevPoint.</p> <p>25 A. Yeah.</p>	<p style="text-align: right;">Page 69</p> <p>1 A. Yeah, the date that our system recognizes that 2 the lead was purchased.</p> <p>3 MR. POLANSKY: Okay. That might be all I 4 have. Just give me one second to go over my notes.</p> <p>5 That's all I have.</p> <p>6 MR. POLANSKY: Ted, do you have any questions?</p> <p>7 EXAMINATION</p> <p>8 BY MR. BRODERICK:</p> <p>9 Q. With the document that is Exhibit 2, the 10 QuoteWizard opt in, you said you did it in Word. Would 11 that document have a created-on date?</p> <p>12 A. I don't know.</p> <p>13 Q. When you look at "Properties" -- do you know 14 how to do that?</p> <p>15 A. I'd have to -- are you asking me to open up my 16 original file?</p> <p>17 Q. Do you still have it in Word?</p> <p>18 A. I believe so.</p> <p>19 Q. I have the impression you weren't sure on the 20 date when I asked you about when it was created. Are 21 you -- do you know when you received the demand letter?</p> <p>22 A. I'd have to check emails for that. I don't 23 know off the top of my head.</p> <p>24 Q. And do you know when the complaint was filed?</p> <p>25 A. I do not.</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. And when I say the "complaint," I mean a 2 complaint in court as opposed to a demand letter. 3 A. I don't. 4 Q. Okay. But is that something that if we go 5 through counsel we could find out, you know, look at the 6 date on the Word document, when it was created, meaning 7 you right click on "Properties" and it tells you when it 8 was originally created and then when it was -- when it 9 was sort of last modified? 10 A. I mean, if you're asking me to do that, I can 11 try and do that. 12 MR. POLANSKY: We'll have you go through 13 counsel for that, but... 14 MR. BRODERICK: Right. Yeah, I don't mean to 15 give you homework on the fly. 16 THE WITNESS: Okay. 17 MR. BRODERICK: Okay. All right. Well, with 18 that, I don't have -- yeah, I don't have anything else. 19 And I appreciate your patience with the technical snafus 20 here. 21 THE WITNESS: Not a problem. 22 MR. POLANSKY: That's great. Thank you, 23 Matthew. 24 MR. BRODERICK: Thank you very much. 25 THE VIDEOGRAPHER: This is the end of the</p>	<p style="text-align: right;">Page 72</p> <p>1 REPORTER'S CERTIFICATE 2 I, CHERYL O. SPRY, the undersigned Certified Court 3 Reporter, pursuant to RCW 5.28.010, authorized to 4 administer oaths and affirmations in and for the State 5 of Washington, do hereby certify that the sworn 6 testimony and/or proceedings, a transcript of which is 7 attached, was given before me at the time and place 8 stated therein; that any and/or all witness(es) were by 9 me duly sworn to testify to the truth; that the sworn 10 testimony and/or proceedings were by me stenographically 11 recorded and transcribed under my supervision, to the 12 best of my ability; that the foregoing transcript 13 contains a full, true, and accurate record of all the 14 sworn testimony and/or proceedings given and occurring 15 at the time and place stated in the transcript; that a 16 review of which was requested; that I am in no way 17 related to any party to the matter, nor to any counsel, 18 nor do I have any financial interest in the event of the 19 cause. 20 WITNESS MY HAND AND DIGITAL SIGNATURE THIS 4th day 21 of AUGUST, 2020. 22  23 24 CHERYL O. SPRY 25 Washington State Certified Court Reporter No. 2226</p>
<p style="text-align: right;">Page 71</p> <p>1 30(b)(6) deposition of QuoteWizard.com represented by 2 Matthew Weeks. We are going off the record at 3 approximately 4:57 p.m. in the Eastern Time Zone. 4 (Deposition recessed at 4:57 p.m.) 5 (Signature was reserved.) 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 73</p> <p>1 Kevin Polansky, Esq. 2 kevin.polansky@nelsonmullins.com 3 August 4, 2020 4 RE: Mantha, Joseph v. Quotewizard.Com, LLC 5 7/22/2020, Matthew Weeks (#4182716) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 cs-ny@veritext.com. 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25</p>

Page 74

1 Mantha, Joseph v. Quotewizard.Com, LLC

2 Matthew Weeks (#4182716)

3 E R R A T A S H E E T

4 PAGE ____ LINE ____ CHANGE _____

5 _____

6 REASON _____

7 PAGE ____ LINE ____ CHANGE _____

8 _____

9 REASON _____

10 PAGE ____ LINE ____ CHANGE _____

11 _____

12 REASON _____

13 PAGE ____ LINE ____ CHANGE _____

14 _____

15 REASON _____

16 PAGE ____ LINE ____ CHANGE _____

17 _____

18 REASON _____

19 PAGE ____ LINE ____ CHANGE _____

20 _____

21 REASON _____

22 _____

23 _____

24 Matthew Weeks

Date

25 _____

Page 75

1 Mantha, Joseph v. Quotewizard.Com, LLC

2 Matthew Weeks (#4182716)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Matthew Weeks, do hereby declare that I

5 have read the foregoing transcript, I have made any

6 corrections, additions, or changes I deemed necessary as

7 noted above to be appended hereto, and that the same is

8 a true, correct and complete transcript of the testimony

9 given by me.

10

11 _____

12 Matthew Weeks Date

13 *If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 _____ DAY OF _____, 20__.

16

17

18 _____

19 NOTARY PUBLIC

20

21

22

23

24

25